

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.114 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants thank Examiner Patterson of the U.S. Patent and Trademark Office for his time and consideration in participating in an interview with Applicants' representative on December 18, 2007. The Interview Summary accurately reflects the substance of the interview.

During the interview, Applicants' representative and the Examiner discussed amending claim 1 to explicitly recite structure of the claimed tubular or pipe multilayer structure, in order to further distinguish same from the container disclosed by U.S. Patent No. 4,535,901 (*Okudaira et al*). At the conclusion of the interview, the Examiner advised that amending claim 1 to explicitly recite that the recited tubular or pipe multilayer structure has an opening at each end thereof, in connection with the submission of a Request for Continued Examination, "would very likely overcome the prior art of record." See Interview Summary.

By the above amendments, independent claim 1 has been amended to recite that the tubular or pipe multilayer structure has an opening at each end thereof, as proposed during the interview. Support for such amendment can be found in the instant specification at least at page 1, lines 4-9; page 1, line 19 to page 2, line 28; and page 6, lines 8-10. Entry of the above amendment is proper at least because a Request for Continued Examination is being filed herewith. See 37 C.F.R. §1.114.

In the Official Action, claims 1-3, 5-11, 19 and 21-25 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 4,535,901 (*Okudaira et al*) in view of German Patent Document No. 1 595 496 (*Amann et al*). Claims 12 and 14-18 stand rejected under 35

U.S.C. §103(a) as being obvious over *Okudaira et al* in view of *Amann et al*, and further in view of European Patent No. 0 646 627 (*Princiotta et al*). Claim 13 stands rejected under 35 U.S.C. §103(a) as being obvious over *Okudaira et al* in view of *Amann et al*, and further in view of U.S. Patent No. 5,357,030 (*VanBuskirk et al*). Claim 26 stands rejected under 35 U.S.C. §103(a) as being obvious over *Okudaira et al* in view of *Amann et al*, and further in view of U.S. Patent No. 4,881,576 (*Kitami et al*). Withdrawal of the above rejections is respectfully requested for at least the following reasons.

As discussed above, independent claim 1 has been amended to recite that the tubular or pipe multilayer structure has an opening at each end thereof. *Okudaira et al* has no disclosure or suggestion of such feature. As discussed during the interview, the container of *Okudaira et al* which has been relied on by Patent Office is shown in Figure 4 and described at column 10, lines 27-32. As is apparent from the figure and description, such container of *Okudaira et al* has a closed-end tubular shape. *Okudaira et al* simply has no disclosure or suggestion of a tubular or pipe multilayer structure having an opening at each end thereof, as is presently claimed. In addition, no motivation or suggestion exists in view of the applied art, to modify *Okudaira et al* to arrive at the claimed tubular or pipe multilayer structure having an opening at each end thereof.

For at least the above reasons, it is apparent that independent claim 1 is not obvious over the applied art. Accordingly, withdrawal of the §103(a) rejections is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance believed to be next in order, and such action is earnestly solicited.

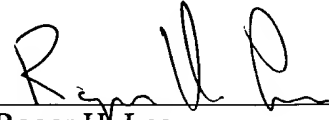
If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 26, 2007

By:

A handwritten signature in black ink, appearing to read "Roger H. Lee", is written over a horizontal line.

Roger H. Lee

Registration No. 46317

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620